

Supreme Decree that approves the gradual and progressive resumption of economic activities within the framework of the declaration of National Sanitary Emergency due to the serious circumstances that affect the life of the Nation as a consequence of COVID-19

SUPREME DECRET

NO. 080-2020-PCM

THE PRESIDENT OF THE REPUBLIC

CONSIDERING:

That, by means of Supreme Decree No. 008-2020-SA, the Health Emergency was declared at the national level for a period of ninety (90) calendar days, and measures were established for prevention and control to prevent the spread of COVID-19;

That Articles II, VI and XII of the Preliminary Title of Law No. 26842, General Health Law, establish that health protection is in the public interest and that it is the responsibility of the State to regulate, monitor and promote the conditions that guarantee adequate coverage of the population's health benefits, in socially acceptable terms of safety, opportunity and quality, the State's responsibility in the provision of public health services being inalienable. The State intervenes in the provision of health care services in accordance with the principle of equity, and may establish limitations on the exercise of the right to property, inviolability of the home, free transit, freedom of work, business, commerce and industry. , as well as the exercise of the right of assembly in protection of public health;

That the COVID-19 pandemic represents one of the most important health crises facing the world, with a great impact from the point of view of public, social and economic health;

That, in order to stop its expansion and prevent the overflow of health systems, the different countries have been adopting a set of measures focused on reinforcing the response in the field of health and reducing rates of contagion by containing the mobility of people, social distancing and economic-financial measures;

That, in that sense in our country, the expansion of the epidemic forced the adoption of measures such as the State of National Emergency declared by Supreme Decree No. 044-2020-PCM and temporarily expanded by Supreme Decree No. 051-2020- PCM, No. 064-2020-PCM and No. 075-2020-PCM;

That the containment measures adopted, both nationally and in the rest of the world, have been effective in controlling the epidemic, but are having a negative impact on global economic activity and on various social groups, with an incidence especially in certain sectors of the population;

That, it is necessary to begin the social and economic recovery and, therefore, it is a priority to address the transition to a resumption of activities that incorporates the precautions and protective measures necessary to prevent infections and minimize the risk of a rebound of the disease that may jeopardize the adequate response of health services and, with it, the health and well-being of society as a whole;

That, on April 16, 2020, the World Health Organization (WHO) defined the principles to be taken into account when considering lack of confinement, which are:

- Break the chain of transmission by detecting as many cases as possible, treating people with symptoms and isolating both the sick and people who have been in contact with them.
- Have sufficient health resources to be able to respond quickly to detected cases and, in particular, to be able to attend to the most serious cases.
- Minimize risks in places with a high potential for contagion such as health and care centers, closed places and public places where there is a high concentration of people.
- Establish preventive measures in the workplace and promote measures such as telecommuting, shifting of shifts and any others that reduce personal contacts.

- Manage the risk of importing and exporting cases beyond our borders, for which it recommends the implementation of control and isolation measures for people infected or who come from risk areas.

- Assume the importance that all citizens are committed to the limitations that are being adopted and understand that, to a large extent, the containment of the pandemic depends on them.

That, in order to implement the strategy for the resumption of the country's economic activities, the protection of public health must be kept as a reference, in order to gradually recover daily life and economic activity, minimizing the risk posed by the epidemic for the health of the population and avoiding that the capacities of the National Health System may be overwhelmed, which should promote conditions of maximum health security combined with the recovery of social and economic well-being;

That the gradual exit from the current state of compulsory social isolation (quarantine) requires continuing to strengthen capacities in four areas: epidemiological surveillance; identification and containment of the sources of contagion; healthcare; and national, regional and local collective protection measures;

That by means of Ministerial Resolution No. 144-2020-EF / 15, the "Multisectoral Working Group for the resumption of economic activities" was formed in order to analyze the measures and proposals for the economic reactivation of the country, as well as to develop a strategy for the progressive resumption of economic activities, since the aforementioned Multisectoral Working Group has developed a strategy for the resumption of activities that consists of 4 phases, proposing the approval of Phase 1 with the start-up activities;

In accordance with the provisions of numbers 4 and 14 of article 118 of the Political Constitution of Peru; and Law No. 29158, Organic Law of the Executive Power and;

With the approving vote of the Council of Ministers;

DECREES:

Article 1.- Approve the “Resumption of activities”

1.1 Approve the “Resumption of Activities” in accordance with the strategy developed by the Multisectoral Working Group formed by Ministerial Resolution No. 144-2020-EF / 15, which consists of four (04) phases for its implementation, which will go permanently evaluating in accordance with the recommendations of the National Health Authority.

1.2 Phase 1 of the “Resumption of Activities” referred to in the preceding paragraph, begins in May 2020, and its activities are detailed in the Annex that forms part of this Supreme Decree.

Article 2.- Criteria for the beginning of the Phases

The fundamental criteria for the gradual and progressive implementation of the phases of the Resumption of Activities are:

2.1 Public health, based on the information evaluated by the National Health Authority, based on the evolution of the epidemiological situation; the capacity for health care and response and the degree of surveillance and diagnosis implemented.

2.2 Internal mobility, linked to a possible increased risk of contagion.

2.3 Of the social dimension.

2.4 Of economic activity and the evaluation of the situation by the competent sectors of the Executive Power.

Article 3.- Sanitary Operation Protocols before COVID-19

3.1 The competent sectors of each activity included in the phases of the Resumption of Activities, taking into account the "Guidelines for the surveillance of the Health of workers at risk of exposure to COVID-19", approved by Ministerial Resolution No. 239-2020 -MINSa (and its subsequent adjustments), approve by means of a Ministerial Resolution and publish, on its institutional portal, the Sectoral Health Protocols, within a maximum period of five (05) calendar days from the entry into force of this Supreme Decree, to the gradual and incremental start of activities. Likewise, such sectors approve by means of a ministerial resolution the “Criteria for territorial targeting and the obligation to report incidents”, among them, the detection of COVID-19 cases; as well as coordination with Regional Governments and Local Governments, within the framework of their respective powers.

The sectoral approval also considers for the specific approval of the start of activities of the productive units; the criteria established in number 2.1 of article 2 of this supreme decree; together with the degree of mobility of people that the resumption in a certain jurisdiction implies.

3.2 Prior to the restart of activities, the entities, companies or natural or legal persons that are permitted for this purpose, must observe the "Guidelines for the surveillance of the Health of workers at risk of exposure to COVID-19", approved by Resolution Ministerial No. 239-2020-MINSa (and its subsequent adaptations), as well as the Sector Protocols (in the latter case, when the sector has issued them), in order to prepare its "Plan for the surveillance, prevention and

control of COVID- 19 at work "and proceed to register in the Integrated System for COVID-19 (SICOVID-19) of the Ministry of Health.

3.3 The competent Sectors of each activity will have access to SICOVID-19 in order to verify who is enrolled and to be able to immediately notify the Health Authority, the National Superintendence of Labor Inspection- SUNAFIL and the Local Governments, in those cases that These are activities or companies that do not correspond to start in accordance with the "Resumption of Activities" approved by article 1 of this Supreme Decree, as well as being able to monitor and assist in the supervision of other registered and authorized cases.

Article 4.- Supervision and Inspection

4.1 The Health Authorities, Local Governments and the National Superintendence of Labor Inspection – SUNAFIL, within the scope of their powers, exercise the supervision and supervision of compliance with the provisions contained in this standard.

4.2 For the labor inspection actions in charge of SUNAFIL referred to in the preceding paragraph, the Ministry of Economy and Finance, if necessary, allocates the additional resources that may be required for its implementation.

4.3 In the case of public services and public infrastructure, the "Plan for the surveillance, prevention and control of COVID-19 at work" of the provider companies, are also audited and supervised by the public service regulatory bodies.

Article 5.- Complementary Measures

The competent Sectors are empowered to provide by ministerial resolution the start date of the activities of Phase 1, included in the annex to this Supreme Decree; as well as, to include prioritized economic activities in the following phases of the Resumption of Activities, subject to the favorable opinion of the Ministry of Health, provided that they do not affect the state of national sanitary emergency and in accordance with the sanitary measures required to prevent the spread and contagion of the disease. COVID-19.

Article 6.- Endorsement

This Supreme Decree is endorsed by the President of the Council of Ministers, the Minister of the Interior, the Minister of Defense, the Minister of Foreign Affairs, the Minister of Health, the Minister of Justice and Human Rights, the Minister of Development and Social Inclusion , the Minister of Labor and Employment Promotion, the Minister of Foreign Trade and Tourism, the Minister of Transport and Communications, the Minister of Education, the Minister of Economy and Finance, the Minister of Energy and Mines, the Minister of Housing, Construction and Sanitation, the Minister of Agriculture and Irrigation, and the Minister of Production.

PROVISION

FINAL COMPLEMENTARY

SOLE.- In the case of activities for the provision of essential goods and services and others that were permitted by exception to the date of entry into force of this Supreme Decree, the companies, entities, natural or legal persons that carry them out, They must comply with the provisions of this standard as appropriate, without prejudice to their continuing activities.

Given in the Government House, in Lima, on the two days of the month of May of the year two thousand and twenty.

MARTÍN ALBERTO VIZCARRA CORNEJO

Republic President

VICENTE ANTONIO ZEBALLOS SALINAS

President of the Council of Ministers

JORGE LUIS MONTENEGRO CHAVESTA

Minister of Agriculture and Irrigation

EDGAR M. VÁSQUEZ VELA

Minister of Foreign Trade and Tourism

WALTER MARTOS RUIZ

Minister of Defense

ARIELA MARÍA DE LOS MILAGROS LUNA FLOREZ

Minister for Development and Social Inclusion

MARÍA ANTONIETA ALVA LUPERDI

Minister of Economy and Finance

CARLOS MARTÍN BENAVIDES ABANTO

Minister of Education

SUSANA VILCA ACHATA

Minister of Energy and Mines

GASTÓN CÉSAR A. RODRIGUEZ LIMO

Minister of the Interior

FERNANDO R. CASTAÑEDA PORTOCARRERO

Minister of Justice and Human Rights

DEW INGRED BARRIOS ALVARADO

Minister of Production

GUSTAVO MEZA-CUADRA V.

Minister of Foreign Affairs

VÍCTOR ZAMORA MESÍA

Health Minister

SYLVIA E. CÁCERES PIZARRO

Minister of Labor and Employment Promotion

CARLOS LOZADA CONTRERAS

Minister of Transport and Communications

RODOLFO YAÑEZ WENDORFF

Minister of Housing, Construction and Sanitation

ANNEXED

ACTIVITIES INCLUDED IN PHASE 1 OF THE “RESUMPTION OF ACTIVITIES”

Mining and industry

1. Exploitation, processing, storage, transportation and closure of mines in the stratum of large-scale mining and hydrocarbon projects under construction of national interest.
2. Inputs for agricultural activity.
3. Industrial fishing (indirect human consumption).
4. Temporary production: expired and expiring purchase orders (exports).
5. Glass, forestry (timber or non-timber), paper and cardboard, plastics and ice industries expansion of textiles and clothing, machinery and equipment.
6. Metalworking industry
7. Basic chemical substances and fertilizer and complementary services to agriculture (for essential activities).

Building

8. Projects of the National Infrastructure Plan for Competitiveness (PNIC).
9. Projects of the Authority for Reconstruction with changes (ARCC)
10. 56 projects in the Transport and Communications Sector.
11. 36 sanitation works.
12. Agricultural infrastructure activities (irrigation, maintenance, rehabilitation of drains, among others).
13. Priority real estate projects (excavation phase, structures and finishes, and housing in rural areas).
14. Agricultural products (rental / sale of machinery)

15. Investments in Optimization, Marginal Expansion, Rehabilitation and Replacement (IOARR), access to water and sewerage in police stations, hospitals and schools.

16. Industries and services related to construction.

Services and tourism

17. Restaurants and related authorized for home delivery (with own logistics of the establishment and security protocol and pick up locally)

18. Categorized hotels and tourist transportation for essential activities.

19. Services related to telecommunications

20. Complementary services to agriculture.

21. Services provided to companies (IT support and professional services, knowledge service exports)

22. Notary services

23. Recycling services.

24. Maintenance services of equipment related to buildings and homes (pumps, hot springs, elevators, plumbing, electrician, carpentry, among others)

25. Storage services of: Fertilizers and agricultural raw materials, plastic articles, glass, paper, cardboard, wood saw, ice for activities in general.

Commerce

26. Marketing of agricultural products

27. Electronic commerce of goods for the home and related.

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